

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

THE LINCOLN ELECTRIC
COMPANY, et al.,

Plaintiffs,

v.

NATIONAL STANDARD, LLC,

Defendant.

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) CASE NO. 1:09 CV 1886
)
)
)
) JUDGE DONALD C. NUGENT
)
)
) MEMORANDUM OPINION
) AND ORDER
)

This matter is before the Court on Plaintiff, Lincoln Electric's Motion and Memorandum in Support to Compel the Further Deposition of Dr. Robert Sturges. (ECF #212). Lincoln Electric contends that Dr. Sturges may have been improperly coached by defense counsel during breaks in the deposition and that it was prevented from inquiring of Dr. Sturges whether this indeed occurred. Without agreeing that communications between an attorney and a deponent are necessarily improper, the Court finds that further deposition on the specific issues raised in the motion, (1) whether communications between Dr. Sturges and defense counsel occurred during the deposition breaks, and (2) whether those communications involved improper coaching as to

Dr. Sturges' deposition testimony, is warranted. National Standard is to make Dr. Sturges available for further deposition, not to exceed 90 minutes, on this topic. Lincoln Electric's Motion to Compel Further Deposition of Dr. Robert Sturges (ECF #212) is, therefore, granted. IT IS SO ORDERED.

/s/ Donald C. Nugent
Donald C. Nugent
United States District Judge

Date: April 23, 2012